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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

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16 UNITED STATES OF AMERICA,) CR No. 11-MJ-70677-MAG
17 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
18 v.) EXCLUDING TIME UNDER FED. R. CRIM.
19 CRISTINA DELORES PATINO,) P. 5.1 & 18 U.S.C. § 3161 AND CONTINUING
20 Defendant.) STATUS CONFERENCE
21) CURRENT DATE: October 20, 2011
22) CURRENT TIME: 9:30 a.m.
23) PROPOSED DATE: November 3, 2011
24) PROPOSED TIME: 9:30 a.m.
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On June 16, 2011, the defendant was arrested based on a warrant issued upon a Criminal Complaint pending in the Eastern District of Virginia. That case is pending in the Eastern District of Virginia, case number 11-MJ-455. The defendant is out of custody.

The parties anticipate that they will consent to the disposition of the case in the Northern District of California, where the defendant was arrested and is on bond and pretrial supervision. The parties also anticipate that the defendant will consent to proceed by information instead of indictment and waive trial in the Northern District of California. The parties are diligently preparing the necessary paperwork, which has taken some time.

Therefore, the parties stipulate and jointly request that, pursuant to Federal Rule of Criminal Procedure (“FRCP”) 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from October 20, 2011 through November 3, 2011. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension. The parties also request that time be excluded under the Speedy Trial Act from October 7, 2011 through October 20, 2011 because the defendant needs additional time to review discovery and to conduct necessary investigation. The parties also request that the Court continue the status conference scheduled for October 20, 2011 at 9:30 a.m. to November 3, 2011 at 9:30 a.m.

STIPULATED:

MELINDA HAAG
United States Attorney

DATED: October 19, 2011

DATED: October 19, 2011

/s/
ELLEN LEONIDA
Attorney for Defendant Cristina Delores Patino

For the reasons stated above, the Court finds that exclusion of time from October 20, through November 3, 2011 is warranted and that the ends of justice served by the

1 continuance outweigh the best interests of the public and the defendant in a speedy trial. 18
2 U.S.C. §3161 (h)(7)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny
3 the defendant effective preparation of counsel, and would result in a miscarriage of justice. 18
4 U.S.C. §3161(h)(7)(B)(iv).

5 The Court also vacates the current status conference, set for October 20, 2011 at 9:30
6 a.m. and sets a new status conference on November 3, 2011 at 9:30 a.m.

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8 SO ORDERED.

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10 DATED: October 19, 2011



11 LAUREL BEELER
United States Magistrate Judge

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